

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LONGHORN HD LLC

v.

NETSCOUT SYSTEMS, INC.§
§
§
§**CIVIL ACTION NO. 2:20-CV-00349-JRG-RSP**

**MINUTES FOR JURY TRIAL DAY NO. 3
HELD BEFORE U. S. DISTRICT JUDGE RODNEY GILSTRAP
April 20, 2022**

OPEN: 08:24 AM**ADJOURN: 06:18 PM**

ATTORNEYS FOR PLAINTIFF: See attached

ATTORNEYS FOR DEFENDANT: See attached

LAW CLERKS: Jim Lomeo
Cody Carter
Nathan Fuller

COURT REPORTER: Shawn McRoberts, RMR, CRR

COURTROOM DEPUTY: Andrea Brunson, CP

TIME	MINUTES
08:24 AM	Court opened.
08:25 AM	Exhibits used prior day read into the record.
08:27 AM	Court made rulings re: previously CARRIED issue.
08:28 AM	Jury entered the courtroom.
08:29 AM	Direct examination of Dr. Scott Dawson by Mr. Buresh, continued.
08:58 AM	Courtroom sealed.
08:58 AM	Direct examination of Dr. Scott Dawson by Mr. Buresh, continued.
09:09 AM	Courtroom unsealed.
09:09 AM	Direct examination of Dr. Scott Dawson by Mr. Buresh, continued.
09:22 AM	Bench conference.
09:23 AM	Bench conference concluded.
09:23 AM	Direct examination of Dr. Scott Dawson by Mr. Buresh, continued.
09:29 AM	Cross examination of Dr. Scott Dawson by Mr. Rubino.
09:53 AM	Redirect examination of Dr. Scott Dawson by Mr. Buresh.
09:58 AM	Completion of testimony of Dr. Scott Dawson.
09:58 AM	Jury recessed for break.
09:59 AM	Recess.

TIME	MINUTES
10:12 AM	Court reconvened.
10:12 AM	Jury returned to courtroom.
10:12 AM	Witness sworn. Direct examination of Dr. Kevin Jeffay by Mr. Buresh.
10:51 AM	Jury returned to jury room.
10:52 AM	Objection argument presented by Mr. Lambrianakos.
10:56 AM	Responsive argument provided by Mr. Buresh.
10:58 AM	Additional objection argument presented by Mr. Lambrianakos.
10:58 AM	Additional responsive argument provided by Mr. Buresh.
10:59 AM	Court made rulings re: objection.
10:58 AM	Jury returned to courtroom.
11:00 AM	Direct examination of Dr. Kevin Jeffay by Mr. Buresh, continued.
11:49 AM	Jury recessed for lunch.
11:50 AM	Recess.
01:12 PM	Court reconvened.
01:13 PM	Jury returned to courtroom.
01:13 PM	Direct examination of Dr. Kevin Jeffay by Mr. Buresh, continued.
01:18 PM	Courtroom sealed.
01:19 PM	Direct examination of Dr. Kevin Jeffay by Mr. Buresh, continued.
01:23 PM	Courtroom unsealed.
01:23 PM	Direct examination of Dr. Kevin Jeffay by Mr. Buresh, continued.
01:56 PM	Cross examination of Dr. Kevin Jeffay by Mr. Lambrianakos.
02:52 PM	Courtroom sealed.
02:52 PM	Cross examination of Dr. Kevin Jeffay by Mr. Lambrianakos, continued.
02:55 PM	Courtroom unsealed.
02:56 PM	Cross examination of Dr. Kevin Jeffay by Mr. Lambrianakos, continued.
03:04 PM	Bench conference.
03:05 PM	Bench conference concluded.
03:05 PM	Cross examination of Dr. Kevin Jeffay by Mr. Lambrianakos, continued.
03:07 PM	Redirect examination of Dr. Kevin Jeffay by Mr. Buresh.
03:07 PM	Courtroom sealed.
03:08 PM	Redirect examination of Dr. Kevin Jeffay by Mr. Buresh, continued.
03:11 PM	Courtroom unsealed.
03:11 PM	Redirect examination of Dr. Kevin Jeffay by Mr. Buresh, continued.
03:24 PM	Recross examination of Dr. Kevin Jeffay by Mr. Lambrianakos.
03:28 PM	Courtroom sealed.
03:28 PM	Recross examination of Dr. Kevin Jeffay by Mr. Lambrianakos, continued.
03:28 PM	Courtroom unsealed.
03:29 PM	Additional redirect examination of Dr. Kevin Jeffay by Mr. Buresh.
03:30 PM	Witness excused.
03:31 PM	Jury recessed for break.
03:31 PM	Recess.
04:02 PM	Court reconvened.
04:02 PM	Jury returned to courtroom.
04:03 PM	Witness sworn. Direct examination of Dr. Nisha Mody by Ms. Marriott.

TIME	MINUTES
04:47 PM	Cross examination of Dr. Nisha Mody by Mr. Lambrianakos.
05:33 PM	Bench conference.
05:33 PM	Bench conference concluded.
05:33 PM	Cross examination of Dr. Nisha Mody by Mr. Lambrianakos, continued.
05:39 PM	Witness excused.
05:39 PM	Defendant rested its case-in-chief.
05:40 PM	Plaintiff offered no rebuttal witnesses.
05:40 PM	Both sides rested.
05:40 PM	Court provided instructions to Jury.
05:42 PM	Jury excused for the remainder of the day to return tomorrow at 10:30 AM.
05:44 PM	Informal charge conference will be held tomorrow morning at 8:00 AM (off the record).
05:45 PM	Formal charge conference will be conducted (on the record) following informal charge conference.
05:46 PM	Court will take up Rule 50(a) motions following recess.
05:46 PM	Recess.
05:55 PM	Court reconvened.
05:56 PM	Exhibits used today read into the record.
05:57 PM	Court to take up Rule 50(a) motions.
05:57 PM	Court provided instruction to the parties re: hearing of Rule 50(a) motions.
05:59 PM	Court began hearing argument on Rule 50(a) motions.
06:13 PM	Arguments concluded.
06:14 PM	Court made rulings on Rule 50(a) motions as set forth in the record.
06:15 PM	Completion of Rule 50(a) motions hearing.
06:18 PM	Court adjourned.